
OLR Bill Analysis

sSB 333

AN ACT CONCERNING THE MEMBERSHIP OF THE CONNECTICUT RESOURCES RECOVERY AUTHORITY'S BOARD OF DIRECTORS AND ESTABLISHING A TASK FORCE CONCERNING THE CONNECTICUT RESOURCES RECOVERY AUTHORITY.

SUMMARY:

This bill makes several changes to the composition of the Connecticut Resource Recovery Authority's (CRRA) board of directors. It dissolves the current board on September 30, 2012 and ends the terms of any sitting directors on that date. For the new board, which assumes the current board's powers and responsibilities on October 1, 2012, the bill:

1. increases the board's membership from 11 to 13;
2. decreases the number of legislative and gubernatorial appointments;
3. removes expertise requirements for board members;
4. increases municipal representation and allows participating municipalities to elect members;
5. increases representation from smaller towns;
6. requires election of the board's chair;
7. imposes term limits; and
8. increases the members needed for a quorum, from six to seven, consistent with the increase in the board's size.

The bill also (1) establishes a task force to study CRRA's responsibilities, including its authority and control of the Mid-

Connecticut Project facility and (2) deletes an obsolete provision establishing a CRRA steering committee that the board dissolved in 2005.

EFFECTIVE DATE: July 1, 2012, except the provision for a CRRA task force, which is effective upon passage.

CRRA BOARD OF DIRECTORS

Selection & Qualifications of Members

Under current law, the governor and legislative leadership choose all 11 directors for the CRRA board. The governor picks three, one of whom must be a municipal official (first selectman, mayor, city or town manager, or chief financial officer from the municipality that has contracted for solid waste disposal services with CRRA) from a town with a population of 50,000 or less; and one an energy expert. Each of the four legislative leaders picks two directors. Of these, two must be municipal officials from towns with populations of 50,000 or less; two must be municipal officials from towns with populations over 50,000; three must be experts in either finance, business, or industry; and one must be an expert on environmental issues. All members serve a four-year term, with no term limits. The governor chooses the board's chair, who serves at the governor's pleasure, from among the 11 directors.

Under the bill, the governor and legislative leadership appoint five of the board's 13 directors. The governor and the four legislative leaders each select one director, who must be a municipal official (under current law's definition).

The bill requires that seven directors be elected by a vote of all municipalities that contract with CRRA. It does not require that they be municipal officials, but three of them must represent towns with populations of 30,000 or more, and four must represent towns with populations less than 30,000. The bill does not specify how to determine a director's affiliation with a town, or how to administer the election of these municipal representatives.

The 13th director is a municipal official from Hartford who is

selected by that city's legislative body.

The bill does not require any of the directors to have any particular expertise. It eliminates current law's (1) requirement that directors be confirmed by the General Assembly, (2) prohibition against General Assembly members serving on the board, and (3) prohibition against all of the governor's appointees being from the same political party (the governor only selects one director).

Table 1 shows the board's composition under current law and the bill.

Table 1: Changes To The CRRA Board Of Directors Under The Bill

	<i>Current Law</i>	<i>The bill</i>
Total number of members	11	13
Legislative and gubernatorial appointments	11 Legislative confirmation required.	5 No legislative confirmation required.
Expertise requirements	3 experts in finance, business, or industry; 1 energy expert; 1 environmental expert.	None.
Municipal representation & town size	5 municipal officials, including: 2 officials from towns with populations over 50,000; 3 officials from towns with 50,000 or less.	6 municipal officials, including one from Hartford. 7 elected municipal representatives, including: 3 representatives from towns with populations over 30,000. 4 representatives from towns with 30,000 or less.

Chair	Chosen by governor; serves at the pleasure of the governor.	Elected by the board; serves a two-year term with a two-term limit as chair.
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Terms of Office

As under current law, the bill staggers the directors' terms. It requires the first municipal officials appointed by the Senate president pro tempore and the speaker of the house to serve initial two-year and one-month terms. The three other appointed municipal officials serve initial four-year and one-month terms. As under current law, the directors appointed after these initial terms serve four-year terms.

The bill also staggers the initial terms of the elected municipal representatives. It requires four of them to serve initial two-year terms and four of them to serve initial four-year terms. The bill prohibits any director from serving on the board for more than eight consecutive years.

(Under the bill, there are only seven, not eight, elected municipal representatives. The representative from Hartford is selected by the city's legislative body. The bill does not specify how to determine which representatives will serve the initial two-year terms. It also does not specify the term lengths for any of the elected representatives, or the Hartford representative, after the initial staggered terms expire.)

CRRA TASK FORCE

The bill creates a task force to study:

1. various aspects of CRRA's control, operation, and financial and contractual relationship with the Mid-Connecticut Project facility;
2. the Mid-Connecticut Project facility's operational performance;
3. CRRA's composition;
4. CRRA's request for proposals process; and

5. the creation of a Mid-Connecticut Project board to manage the facility's operations.

The task force must report its findings and recommendations to the Energy and Technology and Environment committees by January 1, 2013, and terminate on that date.

The task force has 15 members, who must be appointed by July 1, 2012, with chairpersons chosen by the House speaker and Senate president pro tempore from among the 15 members. The chairpersons must schedule the first meeting, which must be held within 60 days of the bill's passage. The members include:

1. two municipal officials from towns with populations over 30,000 that have a contractual relationship with CRRA, one each appointed by the House speaker and House minority leader;
2. two municipal officials from towns with populations under 30,000 that have a contractual relationship with CRRA, one each appointed by the Senate president pro tempore and Senate minority leader;
3. one municipal official from Hartford, appointed by the governor;
4. the four Energy and Technology Committee chairpersons and ranking members, or their designees;
5. the four Environment Committee chairpersons and ranking members, or their designees;
6. the Department of Energy and Environmental Protection commissioner, or his designee; and
7. the chairperson of the CRRA board of directors.

BACKGROUND

Related Bill

sHB 5125, reported favorably by the Environment Committee, also

makes changes to the CRRA board's composition, among other things.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/28/2012)